

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) MATTHEW WONDERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 12-CV-410-CVE-FHM
)	
(1) FOREMOST INSURANCE)	Removal from Tulsa County District Court
COMPANY,)	Case No. CJ-2012-3493
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant, Foremost Insurance Company, Grand Rapids, Michigan (hereinafter “Foremost Insurance Company”) pursuant to 28 U.S.C. §1441 et seq. and Local Court Rules of the United States District Court for the Northern District of Oklahoma, states as follows:

1. The above-styled cause was commenced in the District Court of Tulsa County, State of Oklahoma and is now pending in that court. Process was served on Foremost Insurance Company by certified mail. A copy of Plaintiff’s Petition setting forth a claim for relief upon which the action is based is attached hereto and marked as Exhibit 1. A copy of the Summons served upon Foremost Insurance Company, Inc. on July 6, 2012 is attached hereto and marked as Exhibit 2.

2. Plaintiff at all pertinent times to this lawsuit was a resident of Tulsa County, Oklahoma.

3. Foremost Insurance Company is a foreign corporation doing business in the State of Oklahoma. Foremost Insurance Company’s principal place of business is in Grand Rapids, Michigan.

4. The amount in controversy is greater than \$75,000. Plaintiff alleged in his Petition that he “has been damaged by Foremost’s breach of the insurance policy and its bad faith” in excess

of \$75,000. Plaintiff's Petition prays for actual damages in excess of \$75,000 and punitive damages in excess of \$75,000. Plaintiff claims Foremost Insurance Company breached its policy of insurance and its duty of good faith and fair dealing with Plaintiff when it did not pay him uninsured/underinsured motorist benefits following a April 8, 2012 collision between Plaintiff while riding a motorcycle and a pedestrian in the roadway.

5. As a result of diversity of citizenship and the amount in controversy exceeding \$75,000, exclusive of interest and costs, this is an action over which the United States District Court for the Northern District of Oklahoma has original jurisdiction pursuant to 28 U.S.C. §1332(a).

6. Copies of all process, pleadings and orders served on Foremost Insurance Company to date are attached hereto and have been filed in this Notice.

7. A copy of the Tulsa County docket sheet is attached as Exhibit 3.

EDMONDS COLE LAW FIRM

BY: s/ Sheila R. Benson

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of July, 2012, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Timothy Patrick Clancy
Neal E. Stauffer
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s/ Sheila R. Benson
